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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,477	03/15/2004	Jose Madeira De Freitas Garcia	G&C 30566.323-US-01	3198

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EXAMINER

ORR, HENRY W

ART UNIT	PAPER NUMBER
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2176

MAIL DATE	DELIVERY MODE
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09/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/800,477	Applicant(s) GARCIA ET AL.	
	Examiner Henry Orr	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/15/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to application communication filed on 3/15/2004.
2. Claims 1-21 are pending in the case.
3. Claims 1, 8, 15 are independent claims.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 1/20/2005 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Claim Objections

5. Claims 1-21 are objected to because of the following informalities:

Claims 1, 8 and 15:

Claims 1, 8, and 15 are objected for reciting "collection of zero", because a "collection" of Sheets cannot have zero sheets.

Appropriate corrections are required.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 15-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to abstract ideas that are not tied to a technological art, environment, or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. see MPEP § 2106

Regarding claims 15-21, the phrase “**article of manufacture**” is intended to cover a signal as disclosed in the specification (p. 6 lines 6-11). Claiming a signal per se is considered non-statutory subject matter because a signal is a form of energy.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bonney et al. (hereinafter “Bonney”), U.S. Patent No. 6,466,953 of record.

Claim 1:

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Bonney teaches a graphic program such as a computer aided design application program (see abstract). **(claim 1; i.e., A method for operating a graphics program in a computer, comprising: performing a Sheet Set Manager function in the graphics program)** Examiner interprets the computer aided design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches "Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models" (see col. 1 lines 26-30). **(claim 1; i.e., wherein the Sheet Set Manager manages a one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, and each of the Sheets comprises a drawing, layout or view.)** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Claim 2:

Bonney teaches *"where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program"* (abstract). **(claim 2; i.e., wherein the Sheets and Subsets are organized logically in the Sheet Set.)**

Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure for sheet sets, subsets,

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and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Claim 3:

Bonney's Figure 2 illustrates the hierarchical logical structure for drawing sheets (i.e., sheet sets, subsets, and sheets) displayed on a computer by the computer aided design application program (see Figure 2; ref. #121). Each sheet is capable of being edited or modified (see abstract).

(claim 3; i.e., wherein the Sheet Set Manager is used for displaying, accessing and managing the Sheet Sets, Subsets and Sheets, as well as editing the Sheet Sets, Subsets and Sheets.)

Claim 4:

Bonney teaches **wherein the Sheets are stored in one or more different files** (see col.3 lines 12-15, col. 4 lines 13-15).

Claim 5:

Bonney teaches **wherein an organization of the files, and an organization of the Sheets in the files, is managed by the Sheet Set Manager (see col. 4 lines 40-53).**

Claim 6:

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Bonney's Figures 2 and 5 illustrates **wherein the Sheet Set Manager locates the files, presents current status information about the Sheets contained therein, and opens the files for displaying, editing, publishing, transmitting, or archiving the Sheets** (see col. 4 lines 50-62, col. 5 lines 35-45).

Claim 7:

Bonney's Figure 5 illustrates **wherein the Sheet Set Manager provides an ability to view and act on the Sheet Set, without having to identify the files used to store the Sheets** (see col. 6 lines 59-67, col. 6 lines 1-8).

Claims 8-14:

Claims 8-14 are apparatus claims and are substantially encompassed in method claims 1-7 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 1-7 above.

Claims 15-21:

Claims 15-21 include a program embodied on a computer readable medium to implement the steps that are substantially encompassed in method claims 1-7 respectively; therefore the claims are rejected under the same rationale as method claims 1-7 above.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/19/2008
HO

/Rachna S Desai/
Primary Examiner, Art Unit 2176